

TOWN BOARD MEETING
March 13, 2010

Present:

Supervisor Crowley
Councilwoman Gabaccia
Councilman Sacks
Councilman Tompkins
Councilman Kiernan
Attorney Rappleyea
Highway Superintendent Gregory

Action Items:

Councilman Sacks – Check on time clock that was returned.
Councilman Tompkins – Check on time for solar grant.
Councilwoman Gabaccia – Look into soda distributors for park.
Supervisor Crowley – Talk to Suzette Booy, set time.

Supervisor Crowley opened the meeting at 9:00 a.m. with 26 people present.

A motion was made by Councilwoman Gabaccia seconded by Councilman Tompkins the minutes of the meeting March 1, 2010 be approved as written. Motion carried. Councilman Sacks abstained.

A motion was made by Councilwoman Gabaccia seconded by Councilman Tompkins to accept of minutes of February 11, 2010 with the following corrections.

Pg 5, spelling of *session*

Pg 7, Councilman Tompkins *what denomination not want.*

Pg 8 Looking into grant for arsenic. Add *in the ground.*

Pg 8, West Copake Garage, *would like to see it a park*

Pg.9, spelling of *municipality.*

Motion carried.

The town received five (5) bids for sand and gravel, see attached.

1. Amenia Sand & Gravel
2. G&S Excavating, Inc.
3. Lane Construction Corp.
4. Red Wing Properties, Inc.
5. A. Colarusso & Son, Inc.

The town received five (5) bids for tree work (see attached).

1. Stanford Line Construction
2. Busy Beaver Tree and Stump Removal
3. The Haupt Tree Company, Inc.
4. Northern Tree Service, Inc.
5. Integral Tree and landscape

Correspondence

1. Highway Superintendent Gregory - Recommend accepting G&S , Colarusso, Red Wing, and Lane Construction for road material.
Tree removal bids recommend Haupt and Busy Beaver.

A motion was made by Councilwoman Gabaccia seconded by Councilman Tompkins to accept bids for road material from G&S, Colarusso, Red Wing and Lane Construction per recommendation of Highway Superintendent Gregory. Motion carried.

A motion was made by Councilwoman Gabaccia seconded by Councilman Tompkins to accept bids for tree work from Haupt and Busy Beaver per recommendation of Highway Superintendent Gregory. Motion carried.

2. Kool-Temp – Service club membership application.

A motion was made by Councilwomen Gabaccia seconded by Councilman Tompkins to renew service club membership with Kool-Temp for heating and air-conditioning at \$970.20 yearly. Motion carried.

3. Germantown 300th Anniversary Committee – Announcing the celebration of their 300th Anniversary.
4. Copake Park Commission – Request appointment of Veronique Fabio and Liana Summers to the Commission.
5. Zoning Board of Appeals – Request appointment of Michael DiPeri as regular member to replace Shawn McClain and Dustin Bessette as the alternate to replace Michael DiPeri.
6. Planning Board – Recommend Steve Savarese to fill vacancy on the board.
7. Charles Dodson – Request to renew the maintenance agreement with ESRI for the ArcGIS software.

A motion was made by Councilwoman Gabaccia seconded by Councilman Sacks to renew the maintenance agreement with ESRI for the ArcGIS software being used for Copake's GIS, at a cost of \$415.00. Motion carried.

8. Town of Hillsdale – Notice of public hearing for proposed Local Law # 1 for the year 2010.
9. The Greens Restaurant – Notice of renewal of liquor license at Copake Country Club.
10. Zoning Board of Appeals – Been updating by-laws, ask for town board approval.

A motion was made by Councilman Tompkins seconded by Councilwoman Gabaccia to approve the up-dates of the By-Laws for the Zoning Board of Appeals. Motion carried.

11. U.S. Census Bureau – Challenging elected officials to join them in making history by helping to boost the mail back participation rates across the nation and in your community.
12. Assemblyman Molinaro – Thanking the board for letter requesting member item funds.
13. JNS Towers,LLC – Thanking for past interest Municipal Tower Ownership Program.
14. Department of the Army – Work on Miller Bridge, on Empire Road may be authorized under Department of the Army nationwide general permit : 23.
15. John and Bonnie Lichak – Asking board to reconsider OWB and pass a law banning new installations.

16. John Keeler – Asked for opinion from the town Attorney on two items.

Town Code Chapter 194 solid waste, solid waste construction debris, earth sand.

Is the dumping of this material on the Coon's Lumber Yard legal?

Attractive Nuisance, does this title have to be noted in the Town Code to be enforced?

I've heard comments about Wes Coons offering the old railroad depot to the town, if so I would like the board to go on record as having no interest.

Attorney Rappleyea, In reference to depot its more a legal issue if the board wants to do it fine if not then you don't.

Supervisor Crowley, as of today we have had no official request or offer concerning the depot.

Attorney Rappleyea, as far as code violation it should go to the code enforcement officer. Supervisor Crowley will see that ZEO gets copy of Mr. Keeler's letter.

Councilwoman Gabaccia read a letter addressed to Mrs. Hosier from NYS Unified Court System advising the town has been awarded a grant for computer management software and records management in the amount of \$22,585.00 from the Justice Court Assistance Program.

Public Forum

Carmella Biondi - Our neighbors have many cars in front of their house and its ugly, if I wanted to sell my house who would buy it. Is there any enforcement to show proof of ownership.

Supervisor Crowley, if the cars are registered they are legal. Will have ZEO look into it.

Jeff Nayer,

I would like to address the town board about the 2010 budget.

Last year after being in a financial deficit & having to borrow money to pay our bills, we set out to try & shave whatever we could & wherever we could in the 2010 budget workshops. Many items were cut, reduced or eliminated. We lost our former highway superintendent, and did not replace a full time position in the highway department. The police, the ZBA, the Planning Board, the summer program, etc.,etc, etc. were reduced as well. Celebrations, The Economic Advisory Board & other monies asked for, eliminated in the budget. The list goes on & on. Not a pleasant or easy task, but you board members did the best that you could & all 5 of you voted in favor of the budget. Bob, I remember your statement that you wouldn't have voted for the budget if you knew the true percentage increase, but it was voted on & adopted just the same.

Now, we need to stay with the budget plan & watch where & how the money is being spent. I realize that sometimes we need to move money around in the budget, but we have to be cautious about it. We need to be frugal & not just spend extra money as we find it. We need to squirrel that money away now for a rainy day. We need to use any extra money we find in the budget this year to establish & build a capital reserve or building fund so we can maintain & upkeep our existing buildings. And start an unexpended balance fund so we don't get faced with having to unnecessarily burden the taxpayers like we did this year. These will not buildup right away, BUT WE NEED TO START NOW. And every department head needs to be very careful about how they spend the allotted money in their budget, NOT with the I'm allotted it so I can spend it attitude, but with the what do we really need attitude.

There has been some ongoing discussion about the judges budget, in particular the court clerks .1 account.

There was a meeting in Hudson recently with some people from a judges office in Albany to try to work something out with the clerk positions. PEOPLE who don't live in or pay taxes in our town, I don't think so. Thanks but no thanks! WE SHOULD BE ABLE TO DO OUR OWN LAUNDRY HERE! 5 board members approved \$22,000 for the .1court clerk account, I was at the budget meeting as were others when you all agreed on this amount. It was said that 2 part time clerks at 15 hours a week can do the work of the court. Now there seems to be an issue with this again like there was last year. Currently the court clerk is working an average of 30 hours a week now while filling in for the other clerk. A position now proven that the court business can be done in that amount of time. Simple math says $13.80 \times 30 \text{ hours} = 414 \text{ dollars a week}$, $414 \text{ dollars} \times 52 \text{ weeks} = 21528.00 \text{ dollars}$. Less than the 22,000 dollars allotted. THE BOARD DID IT'S JOB ON THAT LINE

ITEM! Now, it is NOT up to the board to tell the judges how to spend this money, but it was your job to allot the amount of money & you did so correctly by following simple math.

The judges now need to decide how they will spend this money, whether it is by part time positions or a full time position, BUT they need to work this out between them. This is not the town board's job. AND it is definitely not your job as a board to add more money in this line item to pacify the judges because they can't seem to work this out themselves. As the chairman of the ZBA, I had to cut my secretaries hours because of budget restraints. If her money runs out then I will have to do the work myself. I suggest the judges use their money wisely or when their money runs out, THEY can do the work themselves!

Once again, I would like to say that we need to closely monitor any extra money we may find in the budget & not just spend it because we found it. FINALLY, if the Town Board or the Judges or any other department head or employee can not or will not be fiscally responsible to this Town then I suggest that they resign, quit or leave & let people who will be fiscally responsible, take their place!

Councilwoman Gabaccia, I believe the board will continue to monitor the budget very carefully.

John Keeler, I provided the board with information on grant money for consolidation, I'm requesting that you set up and take leadership with the supervisors from Hillsdale, Ancram, Austerlitz and Taghkanic on consolidation on Insurance, service, input on purchases, would you accept this as an assignment.

Supervisor Crowley, I spoke with Art Basin from Ancram; one of the things was insurance, a possibility of having two-four towns come together to bid for insurance policy for all towns. We will be setting up meeting with other towns.

John Keeler, we applied for a \$100,000 loan, how much was collected, how much was spent including interest; how much did the town net and where is this money?

Deputy Supervisor, \$390 was interest.

Supervisor Crowley will call accountant and see if he can attend the next meeting to answer questions.

John Keeler, what are your plans for cutting cost?

Councilman Tompkins, we're working on solar energy.

Councilwoman Gabaccia, we need a five year financial plan which involves savings and cutting cost.

Harvey Weber, Policy Manual reads an annual audit. The Town shall hire an outside CPA audit every three years.

Supervisor Crowley, we can hire or request the state comptroller.

Karen Hallenbeck, where will you get the money?

Supervisor Crowley put out an ad for RFP on auditing of town records for the past three years, also contact State Comptroller office.

Karen Hallenbeck, a year ago we were talking about Emergency Plan. While Ombudsman I had a question pertaining to the plan. I gave him an answer that I thought was true. In May 2009 it was given to Councilman Sacks, June Councilman Tompkins to help, July County representative was here with information, when they went to town hall they were told it wasn't completed. Councilwoman Gabaccia, we just received a copy, it was just completed. You have four ways of entering Copake every entrance to Copake is ugly. Have the Ethics Board given you year end reports.

Lindsay Lebrecht, you have two official newspapers. Councilman Sacks recently requested we add the Columbia Paper at added cost. I subscribed to the Register Star and haven't seen anything recent.

The Columbia Paper will be accepting public notices in April.

Lindsay LeBrecht, I think you should do away with the Register Star.

Attorney Rappleyea even though you have two papers you don't have to advertise in both.

Marcia Becker, asked where the town land is in the Village.

Kirk, it's a lease, the land behind the insurance office.

Roberta Roll, will be doing Farmers Market this summer, does anyone have extra lumber.

Supervisor Crowley, ask the lumber companies they might donate.

Action Items from last meeting

Councilwoman Gabaccia, Robert Freedman will be coming to town on April 21, at 7:00 p.m.

Councilman Sacks, sent letters to state representative on oil burner money.

Councilman Sacks, Highway Superintendent Gregory have time clocks up and running.

Supervisor Crowley asked what happened to the clock that was returned.

Councilman Sacks will check into it.

Town Clerk Hotaling - all employees that are in the retirement system needs to show a record of work for a three month period; suggest they use the time clock, would like to start this by April 1st.

Councilman Tompkins, Solar, received a grant form 1613 the numbers is a .5.8 kilowatt system. The price is \$152, 423 the award \$140,000 so our contribution is \$12,423 for highway garage. If you break it down it would be a savings of 31,410 kilowatt, \$4,712. savings a year. It would pay for itself in 2 years and 7 months.

Spoke with Congressman Murphy office, on the 1610 we worked on, its in his office. We should be able to work out something for the \$12, 423.

Supervisor Crowley, my concern is building our capital reserve. I would hesitate to take \$12,000 out of what little we have, if we borrowed it would come out to .0003 per assessed thousand.

Councilman Sacks, I would be highly resistant to borrowing.

Jeff Nayer, the town board said we weren't going to do anything if we had to pay. This grant is good till 2011. I don't think its necessary to find the money now.
Supervisor Tompkins, we could check with Carlos on time frame.

New Business

Insurance bids to open.

Supervisor Crowley recused himself as he sits on the County Board with one of the bidders.

Deputy Supervisor opened two bids the town received.

1. Finger Insurance - \$33,455.16 Annual capitalization fee \$579.84

2. Brad Peck – two bids from separate carriers.

Trident Insurance \$29,802.20

Houston Causality \$29,692. 89

Supervisor Sacks, board will go over the quotes and have special meeting on March 24, 2010 at 7:00 p.m. for awarding of the bids.

Councilwoman Gabaccia, American Foundation of Suicide Prevention, working with Joan Spencer and Rose Aulino on heading up an effort to promote suicide prevention and awareness in the town.

Joan Spencer who started a movement called Jeffrey's Journey. Spoke with the people on suicides in Columbia County, in the year 2008 there were 20 suicides in the county.

She has been working with the AFSP for the past 18 months. Will arrange a community informational meeting. They will teach you about the signs and symptoms of suicide.

There are walks and many ways to be involved with fund raisers to help bring awareness of this problem.

Councilwoman Gabaccia, will be doing an 18 mile walk in Boston fund raiser for AFSP.

Supervisor Crowley, what can we do as a board to help.

Joan Spencer, your support is major.

Kurt Kneller, sponsor/organizer of the Copake Day run, suggested an AFSP fundraiser in conjunction with Community Day.

Councilwoman Gabaccia, Community Block Grant, through the NYS Division of Housing and Community Renewal. There are three tiers, housing, public facilities and water and sewer. Could add on to park building for a senior center/addition to emergency management center so there's a place for storage of all the things we need to be an effective emergency center. The dead line is 23rd of April. We need to have two public hearings, first one to get opinions from public as to see how they would like us to pursue second to present what we come up with.

A public hearing will be set on March 24, 2010 at 6:30 p.m.

Budget Officer LaPorta, Need to make a motion to transfer \$500 from personal in planning and transfer to Economic Advisory Board \$420 General fund \$80.00

A motion was made by Councilman Tompkins seconded by Councilman Kiernan to authorize the budget officer to make the following transfer:

From .Planning 8020.1 to Economic Advisory Board \$420.00

From Planning 8020.1 to General fund \$80.00

Motion carried.

Deputy LaPorta after transfer the youth program budget is now same as last year, could we go back to the way it was ran last year and charge the same.

A motion was made by Councilwoman Gabaccia we keep the registration fees for the summer park program the same as last year.

Jeff Nayer as a taxpayer I have no trouble charging the local children nothing but out of town should pay. Maybe grandfather nonresidents as far as the fee goes.

Councilwoman Gabaccia take this up at our March 24th meeting.

OLD BUSINESS

Supervisor Crowley, ATT in serious negotiations with land owners in Copake. It would be nice to have it on municipality property but our main goal is to get cell service for the area.

Marcia Becker, there is a cell tower law in Copake.

Councilman Sacks, Attorney Rappleyea and I will match all donations today to AFSP.

Supervisor Crowley, Attorney Rappleyea will send letter to Judges requesting appointment of their clerks by the next board meeting.

APPOINMENTS

A motion was made by Councilman Sacks seconded by Councilwoman Gabaccia to appoint Steve Savarese to the Planning Board. His term will expire 12-31-2014. Motion carried.

A motion was made by Councilman Sacks seconded by Councilman Tompkins to appoint Michael DiPeri to the Zoning Board of Appeals. He will fill the opening left by Shawn McClain. His term will expire 12-31-2013. Motion carried.

A motion was made by Councilman Sacks seconded by Councilman Tompkins to appoint Dustin Bessette alternate to the Zoning Board of Appeals to replace Michael DiPeri. His term will expire 12-31-2014. Motion carried.

A motion was made by Councilwoman Gabaccia seconded by Councilman Kiernan to appoint Veronique Fabio and Lianna Summers to the Parks 'n Rec Commission. Motion carried.

A motion was made by Councilwoman Gabaccia seconded by Councilman Kiernan to appoint Steven Hoppe to the Board of Assessment Review. He will be filling the term of Ken Phesay. His term will end 9-30-2010. Motion carried.

The following resolution was offered by Councilwoman Gabaccia seconded by Councilman Sacks.

BE IT RESOLVED, that the Town of Copake hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the NYS and Local Employee's Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

TITLE	STANDARD WORK DAY	DAYS/MONTH
ELECTED OFFICIALS		
Supervisor	3	1
Town Board	3	1
Town Clerk/Collector	6	20-25
Town Justice	3	3
Assessor	2	8
Highway Superintendent	8	20-25
APPOINTED OFFICIALS		
Town Employees (other than those listed above)	6	
Highway personnel	8	
Police	8	
Deputy Town Clerk	6	20-25
Court Clerk	6	20-25
Town Bookkeeper	1	4
Zoning Secretary	1	6
Planning Secretary	2	8
Zoning Officer	2	8

Dated at Copake, New York
 March 13, 2010
 Resolution# 7

Supervisor Crowley	Yes
Councilman Sacks	Yes
Councilwoman Gabaccia	Yes
Councilman Tompkins	Yes
Councilman Kiernan	Yes

COMMITTEE REPORTS

John Keeler – Working on town garage, haven't heard from any board member about the layout I presented last month as to whether we should pursue with alterations to the garage.

Councilman Kiernan waiting for quotes from Wesley; he will be down in the coming week.

Supervisor Crowley will have to wait for the quotes.

Mr. Keeler, even without the quotes should we be preceding?

Councilman Sacks you will need three (3) quotes.

Mr. Keeler where do we stand with the sale of the West Copake Fire House?

Supervisor Crowley, see if we can get legislative to authorize us to sell it if we opt to.

Supervisor Crowley, asked the attorney to contact our legislative.

Chris Quinby, could the sale of scrap and vehicles at the highway be put in a fund for the addition to the garage.

Supervisor Crowley, we could create a capital improvement fund.

The following resolution was offered by Councilwoman Gabaccia seconded by Councilman Sacks.

BE IT RESOLVED, that pursuant to the New York State Town Law and the New York State Town Law and General Municipal Law, the Copake Town Board hereby establishes a Capital Buildings Fund to finance the cost of construction, renovation, addition to and/or completion of a new highway department building.

The Supervisor is hereby directed to deposit moneys of this reserve fund in a separate bank account to be known as the "Highway Department Building Fund", in particular, any revenue generated by the Town in connection with minor highway surplus sales and/or the sale of scrap metal by the highway department shall be deposited therein.

The Supervisor is authorized to invest, from time to time, the moneys of this fund pursuant to General Municipal Law.

No expenditure shall be made from this account, except upon authorization of this board pursuant to the General Municipal Law.

The foregoing resolution shall become effective without action of the Town Board on the 13th day of April in the year 2010 unless a petition requesting that a referendum thereon be submitted to the voters in the manner required by law.

Dated at Copake NY	Supervisor Crowley	Yes
March 13, 2010	Councilman Sacks	Yes
Resolution # 8	Councilwoman Gabaccia	Yes
	Councilman Tompkins	Yes
	Councilman Kiernan	Ye

DEPARTMENT HEAD

Jeff Nayer, ZBA – Article 78 pending, files need to go to the lawyer, asking for permission to have the files leave the town hall. Supervisor Crowley gave permission.

Highway Superintendent Gregory – Sold the trucks for \$5,700 and \$925. Copake Clean up Day May 22 9am-12 noon at garage.
Looking at software for garage, ask for permission to spend up to \$2,000.

A motion was made by Councilman Sacks seconded by Councilman Kiernan to authorize Highway Superintendent Gregory to purchase software program for the highway. Motion carried.

Park, Ralph Platt – Movie night a success, working on circus, have full board now.

Councilwoman Gabaccia, isn't Supervisor responsible for recording revenues that come into town. We haven't seen a budget report yet this year.
Supervisor Crowley, when I make deposit I break it down into departments.

Ralph Platt, we can keep soda in out buildings to have more control, need to raise the price.

Councilwoman Gabaccia, will contact other distributors for soda at the Park.

Attorney Rappleyea, meet with park commission, is proud parent of Bouncing Baby not-for-profit corp. *Copake Community Foundation*.

Supervisor Crowley, IDA approved 15 year pilot for Kohls.

Suzette Booy, Director of Real Property, would like to speak to the board and public about equalization rate and Sole Assessor. Ask if she can come in late April.

Councilman Tompkins completed the Emergency Plan, handed out for review.

Councilman Sacks, make accessible to public on web-site.

Councilman Tompkins, needs to be approved before put out to public.

Councilwoman Gabaccia, like to see a dark page on the web-site if emergency occurs.

Councilman Sacks, letter from Planning Board about repeal of chapter 156 and local law #2.

Attorney was to give input.

Attorney Rappleyea have memo to the effect.

Councilman Sacks, action item of \$15,000 that Sal Cascino owes town.

Attorney Rappleyea, looking into it.

A motion was made by Councilman Tompkins seconded by Councilman Kiernan the bills from general abstract # 3 and highway abstract # 3 be paid. Motion carried.

A motion was made by Councilman Tompkins seconded by Councilman Kiernan the meeting be adjourned. Motion carried.

Respectfully submitted.

